

Expedited Consultation Procedures For Response Activities Associated With Hurricane Katrina

In the aftermath of Hurricane Katrina, NOAA's principal concern is to ensure the safety of people and preservation of property. Emergency response activities are likely to include reconstruction of roads and bridges, dredging of navigation channels, cleanup of debris, and cleanup of spills of oil and other hazardous materials. NOAA's National Marine Fisheries Service (NMFS), Southeast Region, is committed to working with responders to expedite the review and approval of actions necessary to meet the needs of safety and protection. To that end, the Southeast Region offers guidance on how to address the review procedures for emergency response actions. Review procedures fall under two primary statutes, the Endangered Species Act of 1973 (ESA) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Emergency ESA Section 7 Consultation

Section 7 consultation addressing potential effects on Federally-listed endangered and threatened species and critical habitat will be completed in an expedited manner per 50 CFR 402.05 for emergency activities associated with the protection of human life and property, and protection of the environment and for projects whose rapid completion are required for the recovery of the areas affected by Hurricane Katrina.

For projects that may affect listed species or their critical habitat, please contact Mr. Robert Hoffman at (727) 551-5774 or Robert.Hoffman@NOAA.gov between 7:00 am and 3:30 pm weekdays. After hours please call (727) 403-2641. If Mr. Hoffman cannot be reached, please contact either Mr. Eric Hawk or Mr. David Bernhart at (727) 824-5312 or Eric.Hawk@NOAA.gov or David.Bernhart@NOAA.gov.

Emergency Magnuson-Stevens Act Essential Fish Habitat Consultation

Consultation procedures for essential fish habitat (EFH) are described at 50 CFR 600.920. In accordance with these regulations, consultation is required for any federal action that may adversely affect EFH. Special provisions are available to address emergency actions. For emergency responses to Hurricane Katrina, where possible, federal agencies should contact NMFS early in emergency response planning, but agencies may consult after-the-fact if consultations on an expedited basis are not practicable before taking the required action.

For projects that may adversely affect EFH, please contact Mr. Ric Ruebsamen at (850) 234-5061 or Ric.Ruebsamen@noaa.gov between 7:00 a.m. and 3:30 p.m. weekdays. After hours, please call (850) 249-9213. If Mr. Ruebsamen is not available, please contact Mr. Miles Croom at (727) 460-0007 or Miles.Croom@noaa.gov.

Of course, for actions necessary to protect immediately human life and property, ensure safety, and prevent further environmental injury, after-the-fact ESA and EFH consultation can be completed following the emergency response.